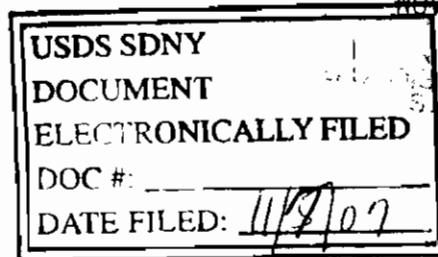


November 5, 2007

VIA FACSIMILE (212) 805-7901

The Honorable Harold Baer
U.S. District Court, Southern District of New York
U.S. Courthouse
500 Pearl Street, Rm. 2230
New York, New York 10007



Re: M. Shanken Communications, Inc. v. P4 Performance Management, et. al
Index No.: 07-cv-08820

Dear Judge Baer:

We represent defendants P4 Performance Management, Inc. ("P4 Performance"), Anthony Pompliano, Jr., Vivian Onella and Steve Mortiboy in the above-referenced matter.

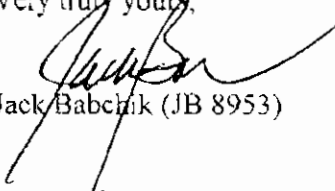
On behalf of all defendants, we write to request a thirty (30) day extension of time to respond to the Complaint. According to the docket report, P4 Performance's response to the Complaint is currently due **November 6, 2007**. Plaintiff's counsel has not yet electronically filed affidavits of service as to Mr. Pompliano, Ms. Onella, or Mr. Mortiboy, and thus the docket report does not indicate the dates their responses are due. In any event, we request all defendants' time to respond be extended to **December 6, 2007**.

We previously called plaintiff's counsel to request an extension. Plaintiff's counsel initially failed to provide us with a response and then later stated that he would provide P4 Performance alone an extension until November 12th, which offer was rejected. Since the P4's response date is looming, we ask Your Honor directly to grant the requested extension.

We only learned of this case on the evening of Friday, November 2nd, and since have had only a limited opportunity to speak to our clients, who are located in North Carolina. Given that the defendants are located out-of-state, raising possible issues of lack of jurisdiction, improper

Thank you for your prompt attention to this matter.

Very truly yours,

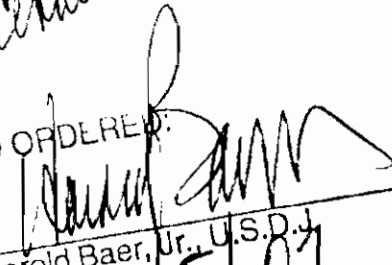

Jack Babchik (JB 8953)

Cc via facsimile: (212) 521-5450

Wallace Neel, Esq.
Reed Smith
599 Lexington Avenue
New York, New York 10022

*30 day extension
time to answer is granted
but is directed to grant
affidavit of service
forthwith - to Dec 3, 07*

SO ORDERED:


Harold Baer, Jr., U.S.D.J.

Date: 11/5/07

30 day extension of time to answer is granted but defendant is directed to file affidavits of service forthwith - to December 6, 2007.